

### **REMARKS**

Claims 2, 4, 13, 15, 29, 82, 89, 95, 101, 111, 112, 119, 120, and 127 are amended, claims 1, 12, 28, 73, 81, 87, 88, 93, 94, 99, 100, 105, 110, 118, and 126 are canceled, and no claims are added; as a result, claims 2-11, 13-27, 29-32, 74-80, 82-86, 89-92, 95-98, 101-104, 106, 111-117, 119-125, and 127 are now pending in this application.

Applicant cancels claims 1, 12, 28, 73, 81, 87, 88, 93, 94, 99, 100, 105, 110, 118, and 126 without prejudice or disclaimer. Applicant expressly reserves the right to pursue this subject matter in a latter filed application.

### **§101 Rejection of the Claims**

Claims 1, 12, and 28 were provisionally rejected under 35 USC § 101 as claiming the same invention as that of claims 1, 12, and 28 respectively of co-pending U.S. Application No. 10/215,462. As this is a provisionally rejection applicant defers responding to this rejection until this issue is ripe. However, applicant notes that claims 1, 12 and 28 were canceled in a preliminary amendment filed with co-pending U.S. Application No. 10/215,462. Applicant requests withdrawal of this provisional rejection.

### **Reservation of the Right to Swear Behind References**

Applicant maintains its right to swear behind any references which are cited in a rejection under 35 U.S.C. §§102(a), 102(e), 103/102(a), and 103/102(e). Statements distinguishing the claimed subject matter over the cited references are not to be interpreted as admissions that the references are prior art.

### **§102 Rejection of the Claims**

Claims 1, 12, 28, 29, 126, and 127 were rejected under 35 USC § 102(e) as being anticipated by Tanaka et al. (U.S. Patent No. 6,355,492).

The rejection of claims 1, 12, 28, and 126 is now moot as these claims are canceled.

The rejection of claims 29, 127 is now moot as claims 29, 127 now depend from allowable claim 16, 80, 2, respectively. Allowance of claim 127 is requested.

**§103 Rejection of the Claims**

Claim 73 was rejected under 35 USC § 103(a) as being unpatentable over Tanaka et al. Claims 81, 82, 87, and 110 were rejected under 35 USC § 103(a) as being unpatentable over Yoneda (U.S. Patent No. 5,177,574) in view of Tanaka et al.

Claims 73, 81, 87, and 110 are canceled without prejudice. Accordingly, rejection of claims 73, 81, 87, and 110 is now moot.

The rejection of claim 82 is now moot as claim 82 now depends from allowable claim 80. Allowance of claim 82 is requested.

Claims 88, 89, and 93 were rejected under 35 USC § 103(a) as being unpatentable over Chu et al. (U.S. Patent No. 5,856,937) in view of Tanaka et al.

Claims 88 and 93 are canceled without prejudice. Accordingly, rejection of claims 88 and 93 is now moot.

The rejection of claim 89 is now moot as claim 89 now depends from allowable claim 92. Allowance of claim 89 is requested.

Claims 94, 95, 99-101, 105, and 118 were rejected under 35 USC § 103(a) as being unpatentable over Le et al. (U.S. Patent No. 5,867,444) in view of Tanaka et al.

Claims 94, 99-100, 105 and 118 are canceled without prejudice. Accordingly, rejection of claims 94, 99-100, 105 and 118 is now moot.

The rejection of claim 95 and 101 is now moot as claims 95 and 101 now depend from allowable claims 97 and 103, respectively. Allowance of claims 95 and 101 is requested.

**Allowable Subject Matter**

Claims 2-11, 13-27, 30-32, 74-80, 83-86, 90-92, 96-98, 102-104, 106, 111-117, and 119-125 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 2, 4, 13, 15, 111, 112, 119, 120 are rewritten into independent form. Accordingly, claims 2-4, 13-15, 111, 112 are now believed to be allowable.

Applicant requests clarification of the objection to claims 5-11. Claims 5 and 9 are independent and claims 6-8 and 10-11 respectively depend therefrom. Accordingly, claims 5-11 are already in allowable form.

Applicant requests clarification of the objection to claims 16-27. Claims 16, 20, 23, 25, and 26 are independent. Claims 17-19, 21-22, 24, and 27 respectively depend from claims 16, 20, 23, and 26. Accordingly, claims 16-27 are already in allowable form.

Applicant requests clarification of the objection to claims 30-32. Claim 30 is independent. Claims 31-32 depend from claim 30. Accordingly, claims 30-32 are already in allowable form.

Applicant requests clarification of the objection to claims 74-80. Claims 74-77, 79, and 80 are independent. Claim 78 depends from claim 77. Accordingly, claims 74-80 are already in allowable form.

Applicant requests clarification of the objection to independent claims 83-86, 90-92, 96-98, 102-104, and 106. Accordingly, claims 83-86, 90-92, 96-98, 102-104, and 106 are already in allowable form.

Applicant requests clarification of the objection to claims 113-117. Claim 113 and 116 are independent. Claims 114-115 and 117 respectively depend from claims 113 and 116. Accordingly, claims 113-117 are already in allowable form.

Applicant requests clarification of the objection to claims 121-125. Claim 121 and 124 are independent. Claims 122-123 and 125 respectively depend from claims 121 and 124. Accordingly, claims 121-125 are already in allowable form.

**CONCLUSION**

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 349-9587 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

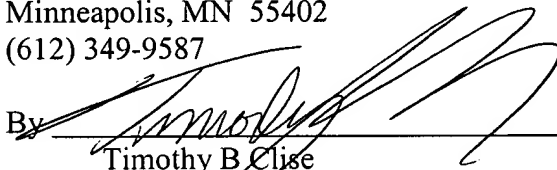
Respectfully submitted,

SAM YANG

By his Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
P.O. Box 2938  
Minneapolis, MN 55402  
(612) 349-9587

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By   
Timothy B. Clise  
Reg. No. 40,957

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 16 day of March, 2004.

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